

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRANDON McCROSKEY, et al : CASE NO. 1:01cv429

Plaintiffs : (Judge Spiegel)

-vs- :

BUTLER COUNTY SHERIFF'S OFFICE: JOINT MOTION
TO VACATE PRE-TRIAL

Defendant :

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Now come the plaintiffs and the defendant, by and through counsel, and move the Court to vacate the pre-trial presently scheduled on Wednesday, June 9, 2004 at 3:00 p.m. The parties represent to the court that they are going to private mediation before Jerry Lawson of Cincinnati, Ohio on June 25, 2004 at 10:00 a.m. The parties move the court to vacate the pre-trial in order to enable them to marshal their efforts and resources to resolving their differences. The parties respectfully submit that the case is presently scheduled for a summary jury trial on July 20, 2004 and a jury trial on August 17, 2004, that there remains sufficient time after the mediation to reschedule the pre-trial conference if necessary and that they will cooperate fully in presenting all pre-trial orders required by the court for pre-trial proceedings if the mediation proves unsuccessful.

A proposed order is being tendered herewith.

Respectfully submitted

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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of June, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Marc D. Mezibov, Esq. at 1726 Young Street, Cincinnati, Ohio 45202.

s/ Jack C. McGowan
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